

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ROBIN WOOD,

Plaintiff,

vs.

No. 12-CV-00775-LH/GBW

HARRY LINFORD BENNETT and
WESTERN EXPRESS,

Defendant.

JOINT MOTION TO DISMISS

COME NOW the Plaintiff, Robin Wood, and the Defendants, Harry Linford Bennett and Western Express, by and through their attorneys of record, and pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, move the Court to enter an Order dismissing the Plaintiff's claims against all Defendants, with prejudice.

As grounds therefore, the Parties agree that all controversies and issues against the Defendants have been resolved, and each side shall bear their own costs.

WHEREFORE, Plaintiff and Defendants respectfully request the Court enter an Order dismissing Plaintiff's claims and all claims and causes of action therein and any other claim which could have been brought against the Defendants, Harry Linford Bennett and Western Express, with prejudice and that each side bear their own costs.

Respectfully Submitted,

BUTT THORNTON & BAEHR PC

/s/ *M. Scott Owen*

M. Scott Owen
Attorneys for Defendants
P.O. Box 3170
Albuquerque NM 87190-3170
Telephone: (505) 884-0777
Email: msowen@btblaw.com

AND

WILL FERGUSON & ASSOCIATES

Approved via email on 2-7-14

Frank V. Balderrama, Esq.
Attorneys for Plaintiff
1720 Louisiana N.E., Suite 100
Albuquerque, NM 87110
Telephone: (505) 243-5566
Email: frank@fergusonlaw.com

I HEREBY CERTIFY that on the 10th day of February, 2014 I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

Frank V. Balderrama, Esq.
frank@fergusonlaw.com

/s/ *M. Scott Owen*

M. Scott Owen, Esq.